AMENDMENT UNDER 37 C.F.R. § 1.114(c) Attorney Docket No.: Q80423

Appln. No.: 10/591,581

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

## **LISTING OF CLAIMS:**

1. (currently amended): A boron phosphide-based semiconductor light-emitting device comprising:

a substrate of silicon single crystal;

a first cubic boron phosphide-based semiconductor layer that is provided on a surface of the substrate and contains twins;

a light-emitting layer that is composed of a hexagonal Group III nitride semiconductor and provided on the first cubic boron phosphide-based semiconductor layer; and

a second cubic boron phosphide-based semiconductor layer that is provided on the lightemitting layer, contains twins and has a conduction type different from that of the first cubic boron phosphide-based semiconductor layer,

wherein the light-emitting layer has a profile of phosphorus atom concentration that gradually decreases from a bottom to a top thereof in a thickness direction, and

a phosphorus atom concentration at a bottom of the light-emitting layer is  $5 \times 10^{18}$  cm<sup>-3</sup> to  $2 \times 10^{20}$  cm<sup>-3</sup>.

2. (original): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the substrate is a (111)-silicon single-crystal substrate having a (111) crystal plane, and the first cubic boron phosphide-based semiconductor layer is provided on the (111) crystal plane.

AMENDMENT UNDER 37 C.F.R. § 1.114(c) Attorney Docket No.: Q80423

Appln. No.: 10/591,581

3. (original): A boron phosphide-based semiconductor light-emitting device according to claim 2, wherein the first cubic boron phosphide-based semiconductor layer has a [110] direction aligned with a [110] direction of the silicon single crystal.

- 4. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 2, wherein the first cubic boron phosphide-based semiconductor layer contains (111) twins having a (111) crystal plane serving as a twinning plane in a junction area in contact with the (111) crystal plane of the (111)-silicon single-crystal substrate.
- 5. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein, the first cubic boron phosphide-based semiconductor layer is an undoped layer to which no impurity element has been intentionally added.
- 6. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the light-emitting layer has a [-2110] direction aligned with a [110] direction of the first cubic boron phosphide-based semiconductor layer and has a (0001) crystal plane serving as a front surface.
  - 7. (canceled).
- 8. (original): A boron phosphide-based semiconductor light-emitting device according to claim 6, wherein the second cubic boron phosphide-based semiconductor layer has a [110] direction aligned with the [-2110] direction of the light-emitting layer.

AMENDMENT UNDER 37 C.F.R. § 1.114(c) Attorney Docket No.: Q80423

Appln. No.: 10/591,581

9. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 6, wherein the second cubic boron phosphide-based semiconductor layer contains (111) twins having a (111) crystal plane serving as a twinning plane in a junction area in contact with the (0001) crystal plane of the light-emitting layer.

- 10. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 6, wherein the second cubic boron phosphide-based semiconductor layer is an undoped layer to which no impurity element has been intentionally added.
- 11. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the first and second cubic boron phosphide-based semiconductor layers exhibit a bandgap at room temperature of 2.8 eV or more.
- 12. (withdrawn): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the first and second cubic boron phosphide-based semiconductor layers are provided so as to serve as cladding layers.
- 13. (previously presented): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the second cubic boron phosphide-based semiconductor layer is provided so as to serve as a window layer which allows passage of light emitted from the light-emitting layer to the outside.

4

Attorney Docket No.: Q80423

AMENDMENT UNDER 37 C.F.R. § 1.114(c)

Appln. No.: 10/591,581

14. (withdrawn): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the second cubic boron phosphide-based semiconductor layer is provided so as to serve as a current-diffusion layer which allows device operation current to diffuse.

15. (withdrawn): A boron phosphide-based semiconductor light-emitting device according to claim 1, wherein the second cubic boron phosphide-based semiconductor layer is provided so as to serve as a contact layer for forming an electrode.